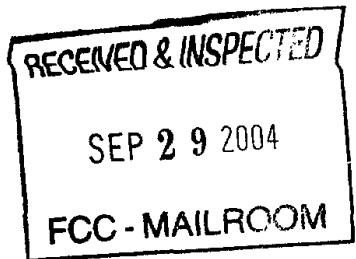


Before the  
**Federal Communications Commission**  
Washington, D.C. 20554



In the Matter of	DOCKET FILE COPY ORIGINAL	)	
		)	
Amendment of Section 73.202(b),		)	MB Docket No. 04-318
Table of Allotments,		)	RM-11040
FM Broadcast Stations.		)	
(Culebra, Puerto Rico)			

To: John A. Karousos, Assistant Chief, Audio Division

**COMMENTS OF V.I. STEREO COMMUNICATIONS CORP.**  
**and**  
**GABY ORTIZ**

V.I. STEREO COMMUNICATIONS CORP. ("V.I. Stereo") and GABY ORTIZ ("Ortiz"), by their counsel, herewith submit their COMMENTS in the above-captioned proceeding. In support whereof, the following is stated.

1. V.I. Stereo is the former licensee of WVIS-FM, as noted in footnote 1 of the NOTICE OF PROPOSED RULE MAKING ("NPRM"). Gaby Ortiz was the wife of Joseph Bahr, deceased, who was the sole stockholder of V.I. Stereo. She is filing both personally and on behalf of the Estate of Joseph Bahr.

2. Although footnote 1 states that the Channel 291B allotment in Vieques is vacant, the Commission is reminded that there is presently pending before the Commission an Application for Review of the ruling that deleted the WVIS license.<sup>1</sup> Accordingly, the order deleting WVIS is not final and the proposed rulemaking in this proceeding is premature.

<sup>1</sup> Filed September 24, 2002. Attached is a copy of the Commission's Legal Action Information report, showing that the Application for Review is still pending.

3. Should the Commission proceed with this rulemaking, V.I. Stereo and/or Gaby Ortiz hereby state that they have a present intention to apply for the channel if it is allotted and, if authorized, to build the station promptly.

WHEREFORE THE PREMISES CONSIDERED, it is respectfully requested that the Commission deny the proposed rulemaking.

Respectfully submitted,

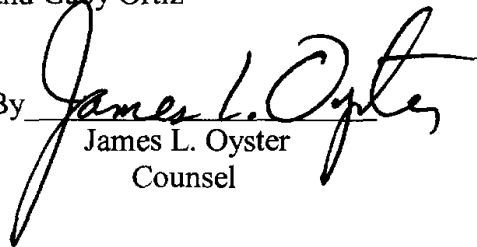
Law Offices  
JAMES L. OYSTER  
108 Oyster Lane  
Castleton, Virginia 22716-9720

(540) 937-4800

September 27, 2004

V.I. Stereo Communications Corp.  
and Gaby Ortiz

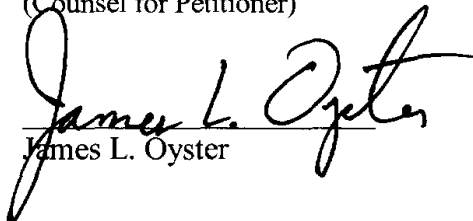
By

  
James L. Oyster  
Counsel

CERTIFICATE OF SERVICE

James L. Oyster hereby certifies that he has sent a copy of the foregoing by first class U.S. mail, postage prepaid, or by hand delivery, on or before the 27<sup>th</sup> day of September, 2004, to the following:

Scott C. Cinnamon, Esq.  
Law Offices of Scott C. Cinnamon, PLLC  
1090 Vermont Ave., NW, Suite 800, #144  
Washington, DC 20005  
(Counsel for Petitioner)

  
James L. Oyster



## Legal Action Information

**File Number:** BPH-20010411AAD

### Legal Comments

**Comments:** (none)

### Legal Actions

**Filed Date:** 12/07/2001      **Action Id:** 16689      **Parent Id:** application

**Type:** Petition for Reconsideration

**Status:** Denied

**Status Date:** 08/27/2002

**Submitted By:**

**Company:**

**Comment:** PETITION FOR RECON FILED 12/7/01

**Filed Date:** 12/03/2001      **Action Id:** 16842      **Parent Id:** application

**Type:** Opposition

**Status:** Filed

**Status Date:** 12/03/2001

**Submitted By:**

**Company:**

**Comment:** (none)

**Filed Date:** 09/24/2002      **Action Id:** 18071      **Parent Id:** application

**Type:** Application for Review

**Status:** Filed

**Status Date:** 09/24/2002

**Submitted By:**

**Company:**

**Comment:** (none)